

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

UNITED STATES OF AMERICA

v.

ELVIN GABRIEL SANCHEZ-HERRERA

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**CASE NUMBER 6:18CR39-RWS-KNM**

**ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS  
OF FACT AND RECOMMENDATION ON GUILTY PLEA**

On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge K. Nicole Mitchell regarding Defendant's plea of guilty to Count 1 of the Indictment charging Defendant with a violation of 8 U.S.C. § 1326(a) and (b)(1), Illegal Reentry Following Removal.

Having conducted a proceeding in the form and manner prescribed by FED. R. CRIM P. 11, the Magistrate Judge recommends that the Court accept the defendant's guilty plea. The parties waived their right to file objections to the Findings of Fact and Recommendation. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly **ORDERED** that the Findings of Fact and Recommendation of the United States Magistrate Judge, filed on August 6, 2018, is hereby **ADOPTED**.

It is further **ORDERED** that Defendant's guilty plea is accepted and approved by the Court. Further, the plea agreement is approved by the Court, conditioned upon a review of the presentence report.

It is finally **ORDERED** that, pursuant to Defendant's plea agreement, the Court finds Defendant, Elvin Gabriel Sanchez-Herrera, **GUILTY** of Count 1 of the Indictment in the above-numbered cause and enters a **JUDGMENT OF GUILTY** against Defendant as to Count 1 of the Indictment.

**SIGNED this 9th day of August, 2018.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE